

**SEMINOLE COUNTY GOVERNMENT  
BOARD OF ADJUSTMENT  
AGENDA MEMORANDUM**

**SUBJECT:** REQUEST FOR SPECIAL EXCEPTION TO ESTABLISH A MECHANICAL GARAGE IN THE C-2 (RETAIL COMMERCIAL DISTRICT) AT 1115 WEST S.R. 436; (CHUCK CULTER, APPLICANT).

**DEPARTMENT:** Planning & Development **DIVISION:** Planning

**AUTHORIZED BY:** Earnest McDonald **CONTACT:** Francisco Torregrosa **EXT.** 7387

**Agenda Date** 1-26-04 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

**MOTION/RECOMMENDATION:**

1. **APPROVE** THE REQUEST FOR SPECIAL EXCEPTION TO ESTABLISH A MECHANICAL GARAGE IN THE C-2 (RETAIL COMMERCIAL DISTRICT) AT 1115 WEST S.R. 436; (CHUCK CULTER, APPLICANT); OR
2. **DENY** THE REQUEST FOR SPECIAL EXCEPTION TO ESTABLISH A MECHANICAL GARAGE IN THE C-2 (RETAIL COMMERCIAL DISTRICT) AT 1115 WEST S.R. 436; (CHUCK CULTER, APPLICANT); OR
3. **CONTINUE** THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District #3, Van Der Weide)

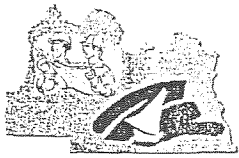
(Francisco Torregrosa, Planner)

<b>GENERAL INFORMATION</b>	CHUCK CULTER, APPLICANT FOR DANNY M. HUNT, OWNER 1115 WEST S.R. 436 ALT. SPGS., FL 32714	C-2 DISTRICT, LDC SECTION 30.763(g); (MECHANICAL GARAGE)
<b>BACKGROUND / REQUEST</b>	<ul style="list-style-type: none"> <li>• THE APPLICANT PROPOSES TO ESTABLISH A MECHANICAL GARAGE IN AN EXISTING SINGLE-STORY, 2160 SQUARE FOOT STRUCTURE THAT WAS PREVIOUSLY USED AS A FARMER'S MARKET.</li> <li>• THE APPLICANT INTENDS TO CONVERT THE STRUCTURE INTO A 2-BAY AUTO REPAIR GARAGE.</li> <li>• THE EXISTING STRUCTURE ENCROACHES 4 FEET INTO THE MINIMUM 25 FOOT FRONT YARD SETBACK. THE STRUCTURE COULD BE MODIFIED OR RELOCATED TO COMPLY WITH THE MINIMUM SETBACK REQUIREMENT.</li> <li>• THE EXISTING STRUCTURE DOES NOT MEET THE BUILDING CODE'S DEFINITION OF A BUILDING; THE REPLACEMENT OF THE EXISTING COVER BY A NON-FLAMMABLE MATERIAL SUCH AS ALUMINUM WOULD BRING THE BUILDING INTO COMPLIANCE WITH THE</li> </ul>	

	<p>BUILDING CODE.</p> <ul style="list-style-type: none"><li>• THE SITE'S LANDSCAPING PLAN APPROVED FOR THE FARMER'S MARKET BY THE DEVELOPMENT REVIEW DIVISION IS DEFICIENT BY FOUR TREES.</li><li>• THE SLOPES OF THE RETENTION POND HAVE BEEN PAVED IN VIOLATION OF THE APPROVED FARMER'S MARKET SITE PLAN.</li><li>• IN THE C-2 DISTRICT, MECHANICAL GARAGES ARE ALLOWED ONLY AS CONDITIONAL USES; A SPECIAL EXCEPTION IS THEREBY REQUESTED.</li></ul>																								
ZONING & FLU	<table><tr><th>DIRECTION</th><th>EXISTING ZONING</th><th>EXISTING FLU</th><th>USE OF PROPERTY</th></tr><tr><td>SITE</td><td>C-2</td><td>COMMERCIAL</td><td>RETAIL (AUTO SALES)</td></tr><tr><td>NORTH</td><td>C-2</td><td>COMMERCIAL</td><td>VETERINARY CLINIC</td></tr><tr><td>SOUTH</td><td>C-2</td><td>COMMERCIAL</td><td>RETAIL / COMMERCIAL</td></tr><tr><td>EAST</td><td>C-2</td><td>COMMERCIAL</td><td>AUTO SERVICE / RESTAURANT</td></tr><tr><td>WEST</td><td>C-2</td><td>COMMERCIAL</td><td>RESTAURANT / PUB</td></tr></table>	DIRECTION	EXISTING ZONING	EXISTING FLU	USE OF PROPERTY	SITE	C-2	COMMERCIAL	RETAIL (AUTO SALES)	NORTH	C-2	COMMERCIAL	VETERINARY CLINIC	SOUTH	C-2	COMMERCIAL	RETAIL / COMMERCIAL	EAST	C-2	COMMERCIAL	AUTO SERVICE / RESTAURANT	WEST	C-2	COMMERCIAL	RESTAURANT / PUB
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WEST	C-2	COMMERCIAL	RESTAURANT / PUB																						
STANDARDS FOR GRANTING A SPECIAL EXCEPTION; LDC SECTION 30.43(b)(2)	<p>THE BOARD OF ADJUSTMENT (BOA) SHALL HAVE THE POWER TO HEAR AND DECIDE SPECIAL EXCEPTIONS IT IS SPECIFICALLY AUTHORIZED TO PASS UNDER THE TERMS OF THE LAND DEVELOPMENT CODE UPON DETERMINATION THE USE REQUESTED:</p> <p><b><u>IS NOT DETRIMENTAL TO THE CHARACTER OF THE AREA OR NEIGHBORHOOD OR INCONSISTENT WITH TRENDS OF DEVELOPMENT IN THE AREA:</u></b></p> <p>THE PROPOSED USE WOULD REPRESENT THE CONVERSION OF A STRUCTURE, PREVIOUSLY USED AS A FARMER'S MARKET, TO A MECHANICAL GARAGE. ABUTTING PROPERTIES ALONG THIS SEGMENT OF STATE ROAD 436 ARE CHARACTERIZED BY AUTOMOBILE SERVICE AND REPAIR FACILITIES SIMILAR TO THE USE PROPOSED AND OTHER COMMERCIAL/RETAIL USES. FOR THIS REASON, STAFF DOES NOT BELIEVE THE PROPOSED MECHANICAL GARAGE WOULD BE DETRIMENTAL TO THE CHARACTER OF SURROUNDING DEVELOPMENT.</p> <p><b><u>DOES NOT HAVE AN UNDULY ADVERSE EFFECT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS AND VOLUMES:</u></b></p> <p>A RETAIL MARKET, APPROXIMATELY 1000 SF IN SIZE, GENERATES BETWEEN 7 AND 10 TRIPS PER PEAK (A.M. AND P.M.) HOUR OF OPERATION. BY COMPARISON, A MECHANICAL GARAGE GENERATES BETWEEN 11 AND 16</p>																								

	<p>TRIPS PER PEAK (A.M. AND P.M.) HOUR OF OPERATION. THEREFORE, THE PROPOSED MECHANICAL GARAGE WOULD HAVE SLIGHTLY HIGHER IMPACT ON TRAFFIC VOLUMES THAN THE PREVIOUSLY APPROVED FARMER'S MARKET. THERE IS EXISTING CAPACITY ALONG THE ADJOINING SEGMENT OF STATE ROAD 436 TO ABSORB THE ADDITIONAL TRAFFIC IMPACT.</p> <p><b><u>IS CONSISTENT WITH THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN:</u></b></p> <p>THE SEMINOLE COUNTY VISION 2020 COMPREHENSIVE PLAN DESCRIBES COMMERCIAL FUTURE LAND USE AS APPROPRIATE FOR A VARIETY OF COMMERCIAL USES (INCLUDING MECHANICAL GARAGES) THAT ARE LOCATED AT THE INTERSECTIONS OF MAJOR ROADWAYS AND ALONG MAJOR ROADWAYS AS INFILL DEVELOPMENT WHERE THE USE IS ALREADY ESTABLISHED. WITH THE IMPOSITION OF STAFF'S RECOMMENDED CONDITIONS, THE PROPOSED MECHANICAL GARAGE WOULD BE CONSISTENT WITH THIS DESCRIPTION, GIVEN THE SUBJECT PROPERTY'S LOCATION ON STATE ROAD 436, WHICH IS DEFINED AS A PRINCIPAL ARTERIAL ROADWAY.</p> <p><b><u>MEETS ANY ADDITIONAL REQUIREMENTS SPECIFIED IN THE CODE SECTION AUTHORIZING THE USE IN A PARTICULAR ZONING DISTRICT OR CLASSIFICATION:</u></b></p> <p>BASED ON THE SUBMITTED SITE PLAN, THE PROPOSED USE WOULD MEET THE MINIMUM AREA AND DIMENSIONAL REQUIREMENTS OF THE C-2 DISTRICT.</p> <p><b><u>WILL NOT ADVERSELY AFFECT THE PUBLIC INTEREST:</u></b></p> <p>WITHIN THE C-2 DISTRICT, MECHANICAL GARAGES ARE ALLOWED AS CONDITIONAL USES. WITH THE IMPOSITION OF STAFF'S RECOMMENDED CONDITIONS, THE PROPOSED USE WOULD BE CONSISTENT WITH ABUTTING AUTOMOTIVE, RETAIL, AND COMMERCIAL LAND USES, WHICH ARE SIMILAR IN CHARACTER AND APPEARANCE.</p>
<b>STAFF FINDINGS</b>	<ul style="list-style-type: none"><li>• THE PROPERTY IS SERVED BY EXISTING WATER AND SEWER SERVICES.</li><li>• THERE ARE NO IDENTIFIED AREAS OF ENVIRONMENTAL CONCERN.</li><li>• THE PROPERTY WAS PREVIOUSLY DEVELOPED AS A FARMER'S MARKET.</li><li>• IN EVALUATING THIS REQUEST, STAFF HAS DETERMINED THE FOLLOWING:<ul style="list-style-type: none"><li>◦ WITH THE IMPOSITION OF STAFF'S RECOMMENDED CONDITIONS, THE PROPOSED USE WOULD NOT</li></ul></li></ul>

	<p>HAVE AN ADVERSE IMPACT ON EXISTING TRAFFIC PATTERNS, MOVEMENTS OR VOLUMES;</p> <ul style="list-style-type: none"><li>○ THE PROPOSED USE WOULD BE CONSISTENT WITH THE COMPREHENSIVE PLAN'S DESIGNATION OF COMMERCIAL FUTURE LAND USE FOR THE SUBJECT PROPERTY;</li><li>○ THE PROPOSED USE WOULD NOT ADVERSELY AFFECT THE PUBLIC INTEREST; AND</li><li>○ THE PROPOSED USE WOULD BE COMPATIBLE WITH THE COMMERCIAL CHARACTER OF DEVELOPMENT ALONG THE STATE ROAD 436 CORRIDOR.</li></ul>
<b>STAFF RECOMMENDATION</b>	<p>STAFF THEREBY RECOMMENDS THE BOARD OF ADJUSTMENT APPROVE THE REQUEST FOR SPECIAL EXCEPTION BASED ON THE FINDINGS PRESENTED. STAFF FURTHER RECOMMENDS THE IMPOSITION OF THE FOLLOWING CONDITIONS:</p> <ul style="list-style-type: none"><li>○ AUTOMOTIVE WORK SHALL INCLUDE MECHANICAL REPAIRS AND SERVICE. PAINT AND BODY REPAIR SHALL BE PROHIBITED;</li><li>○ ALL AUTOMOTIVE WORK SHALL BE CONDUCTED WITHIN THE ENCLOSED PRINCIPAL STRUCTURE;</li><li>○ THE OUTDOOR STORAGE OF SERVICE EQUIPMENT SHALL BE PROHIBITED;</li><li>○ THE EXISTING STRUCTURE SHALL BE RELOCATED OR MODIFIED TO MEET THE APPLICABLE SETBACKS FOR THE C-2 ZONING CLASSIFICATION;</li><li>○ THE EXISTING STRUCTURE SHALL COMPLY WITH THE COMMERCIAL BUILDING CODE;</li><li>○ A MINIMUM OF 25 PERCENT OPEN SPACE SHALL BE REQUIRED;</li><li>○ LANDSCAPING AND STORMWATER MANAGEMENT SHALL MEET LAND DEVELOPMENT CODE REQUIREMENTS; AND</li><li>○ THE PROPOSED USE SHALL BE IN CONFORMITY WITH THE SEMINOLE COUNTY COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE.</li></ul>



SEMINOLE COUNTY PLANNING & DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
1101 EAST FIRST STREET  
SANFORD, FL 32771  
(407) 665-7444 PHONE (407) 665-7385 FAX

APPL. NO. BS 2003-029

### APPLICATION TO THE SEMINOLE COUNTY BOARD OF ADJUSTMENT

Applications to the Seminole County Board of Adjustment shall include all applicable items listed in the Board of Adjustment Process Checklist. No application will be scheduled for Board of Adjustment consideration until a complete application (including all information requested below) has been received by the Planning & Development Department, Planning Division.

#### APPLICATION TYPE:

- ☐ **VARIANCE**
- ☒ **SPECIAL EXCEPTION** FOR THE ESTABLISHMENT OF A MECHANICAL GARAGE IN THE C
- ☐ **MOBILE HOME SPECIAL EXCEPTION**
- ☐ EXISTING ☐ PROPOSED ☐ REPLACEMENT
- MOBILE HOME IS FOR \_\_\_\_\_
- YEAR OF MOBILE HOME \_\_\_\_\_ SIZE OF MOBILE HOME \_\_\_\_\_
- ANTICIPATED TIME MOBILE HOME IS NEEDED \_\_\_\_\_
- PLAN TO BUILD ☐ YES ☐ NO IF SO, WHEN \_\_\_\_\_
- MEDICAL HARDSHIP ☐ YES (LETTER FROM DOCTOR REQUIRED) ☐ NO
- ☐ **APPEAL FROM DECISION OF THE PLANNING MANAGER**

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME	DANNY M HUNT	CHUCK COLTER
ADDRESS	1009 HILL ST NEW SMYRNA 32169	1321 MAURIN RD. ORLANDO FL 32804
PHONE 1	(386) 409-9924	(407) 774-7331
PHONE 2	(386) 424-9446	(407) 758-4806
E-MAIL		

PROJECT NAME: SUPER STREET PERFORMANCE SERVICE CENTER

SITE ADDRESS: 1115 WEST ST. RD. 436 ALT. SP6S FL 32714

CURRENT USE OF PROPERTY: WAS USED AS A FARMER'S MARKET

LEGAL DESCRIPTION: LEG BEG SW COR LOT 19 R/W N 12 DEG 34 1/2 MIN E  
150 FT S 77 DEG 25 1/2 MIN E 143.52

SIZE OF PROPERTY: .58 ± acre(s) PARCEL I.D. 17-21-29-501-0000-019A

UTILITIES: ☒ WATER ☐ WELL ☐ SEWER ☒ SEPTIC TANK ☐ OTHER \_\_\_\_\_

KNOWN CODE ENFORCEMENT VIOLATIONS \_\_\_\_\_

IS PROPERTY ACCESSIBLE FOR INSPECTION ☒ YES ☐ NO

This request will be considered at the Board of Adjustment regular meeting on December 15, 2003  
(mo/day/yr), in the Board Chambers (Room 1028) at 6:00 p.m. on the first floor of the Seminole  
County Services Building, located at 1101 East First Street in downtown Sanford, FL.

I hereby affirm that all statements, proposals, and/or plans submitted with or contained within  
this application are true and correct to the best of my knowledge.

Chuck Colter  
SIGNATURE OF OWNER OR AGENT\*

10-26-3  
DATE

\* Proof of owner's authorization is required with submittal if signed by agent.

# ADDITIONAL VARIANCES

VARIANCE 2:

VARIANCE 3:

VARIANCE 4:

VARIANCE 5:

VARIANCE 6:

VARIANCE 7:

VARIANCE 8:

## APPEAL FROM BOA DECISION TO BCC

	PROPERTY OWNER	AUTHORIZED AGENT *
NAME		
ADDRESS		
PHONE 1		
PHONE 2		
E-MAIL		

NATURE OF THE APPEAL \_\_\_\_\_

BCC PUBLIC HEARING DATE \_\_\_\_\_

FOR OFFICE USE ONLY

PROCESSING:

FEE: \$370 COMMISSION DISTRICT 3 FLU/ZONING COM/C-2

LOCATION FURTHER DESCRIBED AS LOCATED ON THE NE CORNER OF THE INTERSECTION OF JEWEL AND 436

PLANNER VB DATE

SUFFICIENCY COMMENTS

FROM :

FAX NO. : 6007726254

Oct. 29 2003 12:39AM P1

FROM : SUPERSTREETPERFORMANCE

FAX NO. : 4077747331

Oct. 29 2003 05:30AM P2

To: SEMINOLE COUNTY PLANNING AND DEVELOPMENT DEPARTMENT

I, DANNY HUNT, OWNER OF 1115 WEST STATE ROAD  
436 ALT. SAGS. 32714, PARCEL I.D. 17-21-29-501  
0000 - 019A, AUTHORIZE CHUCK COLTER TO  
ACT IN MY BEHALF AS MY AGENT, for the  
purpose of securing a Zoning special exception.

*Danny Hunt*

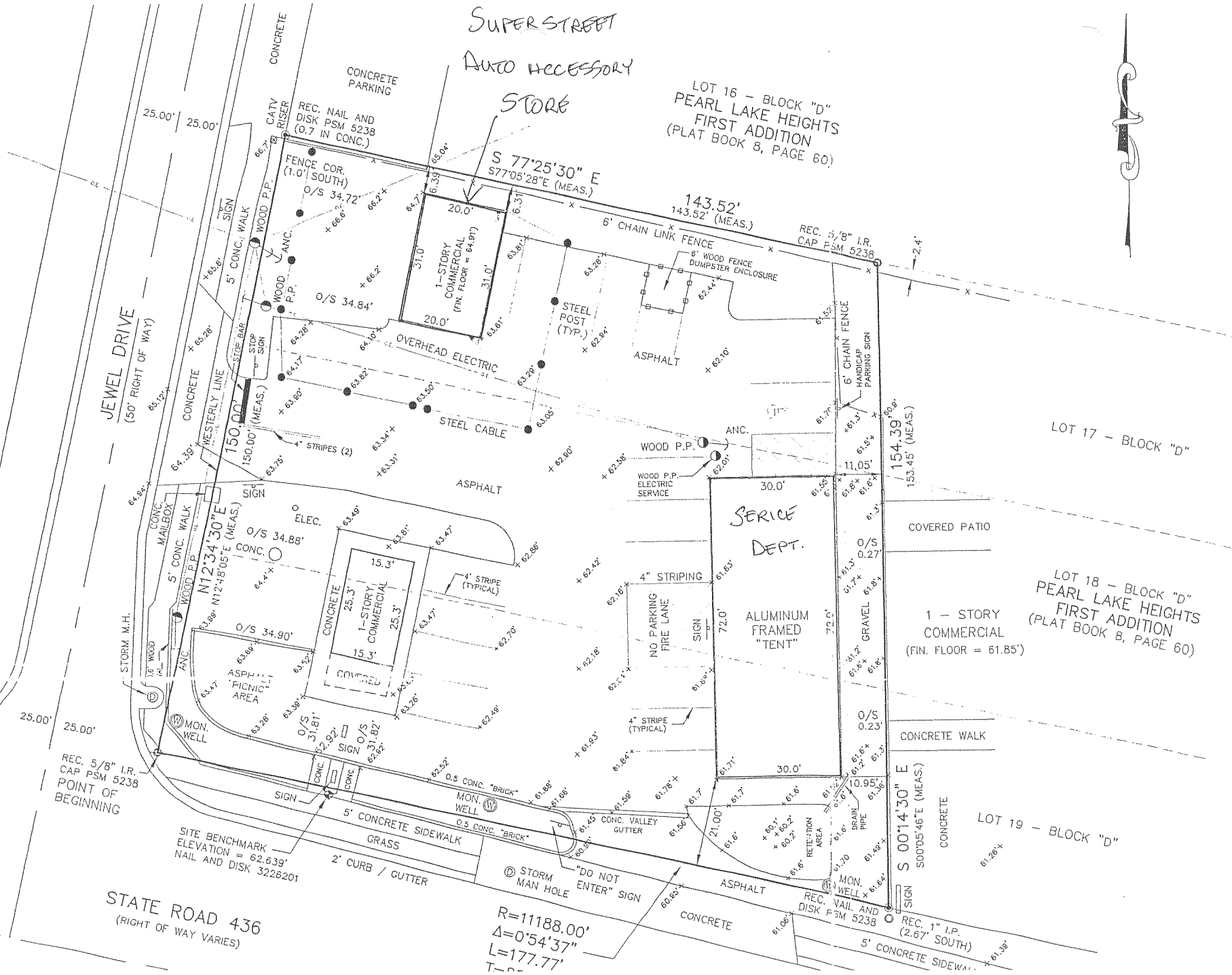
From : DANNY HUNT  
1009 HILL ST.  
NEW SMYRNA  
32169

- SPECIAL EXCEPTION FOR THE ESTABLISHMENT OF A MECHANICAL GARAGE IN THE C-2 (RETAIL COMMERCIAL DISTRICT)
- WE WOULD LIKE TO PROVIDE OUR AUTOMOBILE CUSTOMERS WITH THE OPPORTUNITY TO HAVE THEIR CARS SERVICED WITH THE SAME CARE AND PROFESSIONALISM THAT THEY RECEIVED IN THEIR PURCHASE, AS WELL AS OUR ACCESSORY CUSTOMER TO HAVE THAT PART INSTALLED.
- THE ESTABLISHMENT OF A MECHANICAL GARAGE IS IN LINE WITH OTHER LIKE BUSINESSES IN THE IMMEDIATE C2 AREA.



### 1.3 ADDITIONAL SUBMITTAL REQUIREMENTS:

- ( A. THE NATURE OF USE IS THE INSTALLATION OF AUTO ACCESS, AS WELL AS AUTO SERVICE. THE PURPOSE IS TO BETTER SERVE AND MEET THE NEEDS OF OUR CUSTOMERS.
- B.- H. SEE SURVEY ENCLOSED.
- I. MONDAY - FRIDAY 9:00 AM TILL 5:00 P.M.  
SATURDAY - BY APPOINTMENT CLOSED - SUNDAYS
- J. ONE ADDITIONAL EMPLOYEE TO START.
- K. SEE SURVEY
- L. N/A



SUPER STREET  
AUTO NECESSARY  
STORE

LOT 16 - BLOCK "D"  
PEARL LAKE HEIGHTS  
FIRST ADDITION  
(PLAT BOOK 8, PAGE 60)

LOT 17 - BLOCK "D"

LOT 18 - BLOCK "D"  
PEARL LAKE HEIGHTS  
FIRST ADDITION  
(PLAT BOOK 8, PAGE 60)

LOT 19 - BLOCK "D"

JEWEL DRIVE  
(50' RIGHT OF WAY)

STATE ROAD 436  
(RIGHT OF WAY VARIES)

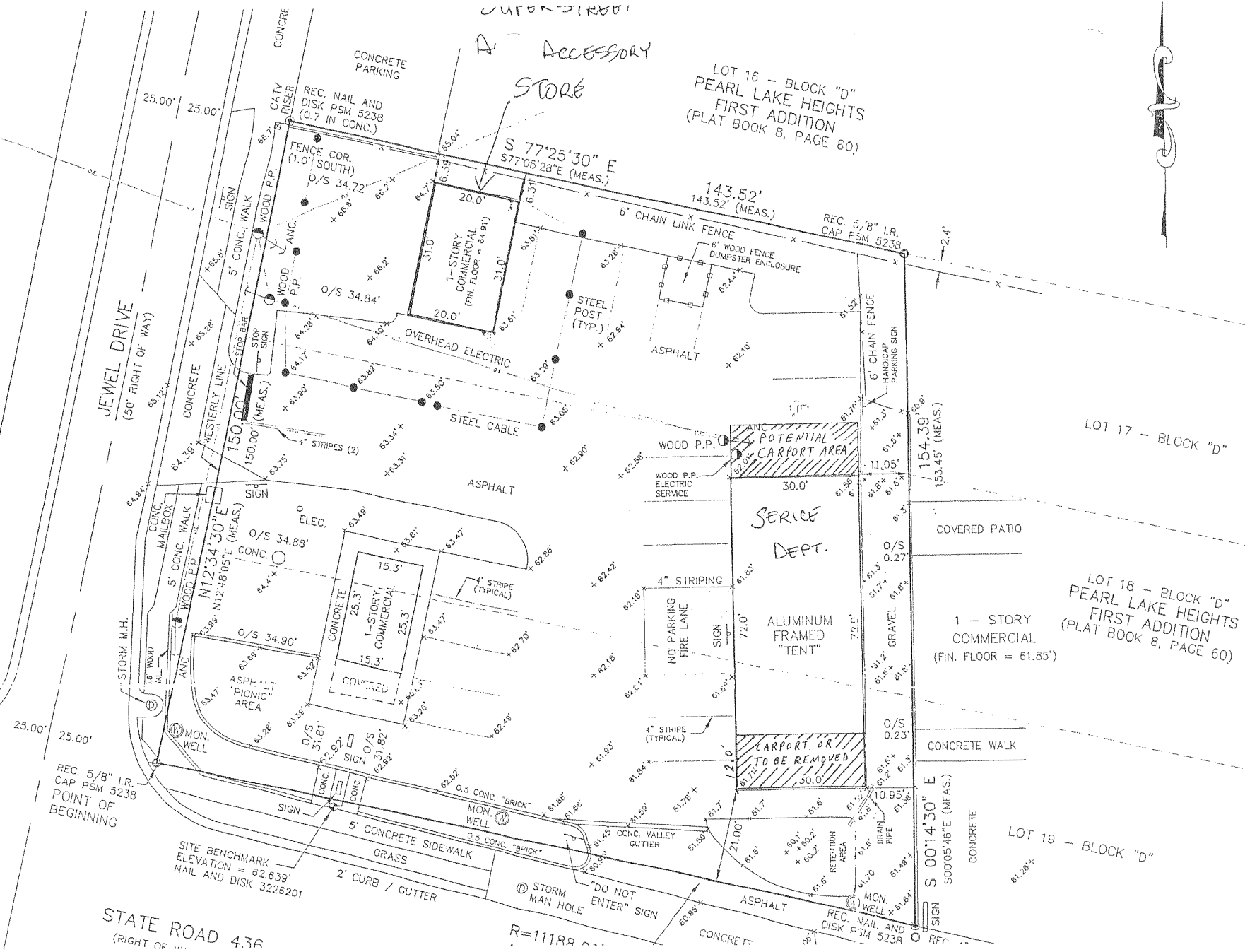
$R=11188.00'$   
 $\Delta=0^{\circ}54'37''$   
 $L=177.77'$   
 $T=...$



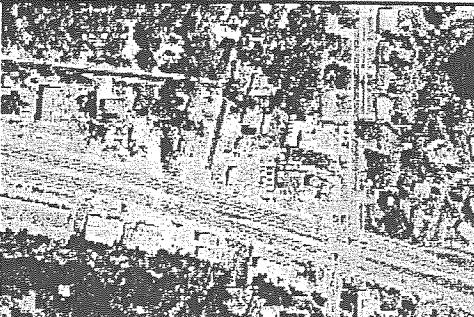
REC. 5/8" I.R.  
CAP PSM 5238  
POINT OF  
BEGINNING

SITE BENCHMARK  
ELEVATION = 62.639'  
NAIL AND DISK 3226201

"DO NOT  
ENTER" SIGN

REC. 1" I.P.  
(2.67' SOUTH)



PARCEL DETAIL	REAL ESTATE	PERSONAL PROP	TAX ROLL	SALES SEARCH	◀ Back ▶																														
 <p><b>Seminole County</b> Property Appraiser Services 1101 E. First St. Sanford FL 32771 407-665-7506</p>																																			
<p align="center"><b>GENERAL</b></p> <p>Parcel Id: 17-21-29-501-0D00-019A      Tax District: 01-TX DIST 1 - COUNTY</p> <p>Owner: HUNT DANNY M      Exemptions:</p> <p>Address: 1009 HILL ST</p> <p>City,State,ZipCode: NEW SYMRNA BEACH FL 32169</p> <p>Property Address: 1109 436 W ALTAMONTE SPRINGS 32714</p> <p>Facility Name: LITTLE DAIRY</p> <p>Dor: 22-FAST FOOD RESTAURANT</p>				<p align="center"><b>2004 WORKING VALUE SUMMARY</b></p> <p>Value Method: Market</p> <p>Number of Buildings: 1</p> <p>Depreciated Bldg Value: \$18,877</p> <p>Depreciated EXFT Value: \$11,282</p> <p>Land Value (Market): \$150,480</p> <p>Land Value Ag: \$0</p> <p>Just/Market Value: \$180,639</p> <p>Assessed Value (SOH): \$180,639</p> <p>Exempt Value: \$0</p> <p>Taxable Value: \$180,639</p>																															
<p align="center"><b>SALES</b></p> <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> </tr> </thead> <tbody> <tr> <td>WARRANTY DEED</td> <td>02/2000</td> <td>03804</td> <td>1121</td> <td>\$300,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>07/1990</td> <td>02206</td> <td>1135</td> <td>\$254,000</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>05/1982</td> <td>01392</td> <td>0929</td> <td>\$186,200</td> <td>Improved</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1971</td> <td>00886</td> <td>0889</td> <td>\$38,500</td> <td>Improved</td> </tr> </tbody> </table> <p>Find Comparable Sales within this DOR Code</p>				Deed	Date	Book	Page	Amount	Vac/Imp	WARRANTY DEED	02/2000	03804	1121	\$300,000	Improved	WARRANTY DEED	07/1990	02206	1135	\$254,000	Improved	WARRANTY DEED	05/1982	01392	0929	\$186,200	Improved	WARRANTY DEED	01/1971	00886	0889	\$38,500	Improved	<p align="center"><b>2003 VALUE SUMMARY</b></p> <p>2003 Tax Bill Amount: \$3,105</p> <p>2003 Taxable Value: \$181,107</p>	
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<p align="center"><b>EXTRA FEATURE</b></p> <table border="1"> <thead> <tr> <th>Description</th> <th>Year Blt</th> <th>Units</th> <th>EXFT Value</th> <th>Est. Cost New</th> </tr> </thead> <tbody> <tr> <td>COMMERCIAL ASPHALT DR 2 IN</td> <td>1979</td> <td>24,357</td> <td>\$8,086</td> <td>\$20,216</td> </tr> <tr> <td>CONC UTILITY BLDG</td> <td>1979</td> <td>620</td> <td>\$2,170</td> <td>\$4,340</td> </tr> <tr> <td>BLOCK WALL</td> <td>1979</td> <td>855</td> <td>\$1,026</td> <td>\$2,565</td> </tr> </tbody> </table>						Description	Year Blt	Units	EXFT Value	Est. Cost New	COMMERCIAL ASPHALT DR 2 IN	1979	24,357	\$8,086	\$20,216	CONC UTILITY BLDG	1979	620	\$2,170	\$4,340	BLOCK WALL	1979	855	\$1,026	\$2,565										
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<p>NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes.</p> <p>*** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.</p>																																			

**SEMINOLE COUNTY APPROVAL DEVELOPMENT ORDER**

On January 26, 2004, Seminole County issued this Development Order relating to and touching and concerning the following described property:

LEG BEG SW COR LOT 19 RUN N 12 DEG 34 1/2 MIN E 150 FT S 77 DEG 25 1/2 MIN E 143.52 FT S 154.39 FT N 77 DEG 15 MIN W 177.77 FT TO BEG BLK D PEARL LAKE HEIGHTS 1ST ADD PB 8 PG 60 LEG BEG SW COR LOT 19 RUN N 12 DEG 34 1/2 MIN E 150 FT S 77 DEG 25 1/2 MIN E 143.52

(The aforescribed legal description has been provided to Seminole County by the owner of the aforescribed property.)

**FINDINGS OF FACT**

**Property Owner:** DANNY M. HUNT  
1009 HILL STREET  
NEW SMYRNA, FL 32169

**Project Name:** 1115 WEST S.R. 436

**Requested Development Approval:**

SPECIAL EXCEPTION TO ESTABLISH A MECHANICAL GARAGE IN THE C-2 (RETAIL COMMERCIAL DISTRICT) AT 1115 WEST S.R. 436, AS DEPICTED ON THE ATTACHED SITE PLAN.

The Development Approval sought is consistent with the Seminole County Comprehensive Plan and will be developed consistent with and in compliance to applicable land development regulations and all other applicable regulations and ordinances.

The owner of the property has expressly agreed to be bound by and subject to the development conditions and commitments stated below and has covenanted and agreed to have such conditions and commitments run with, follow and perpetually burden the aforescribed property.

Prepared by: Francisco Torregrosa  
1101 East First Street  
Sanford, Florida 32771

**Order****NOW, THEREFORE, IT IS ORDERED AND AGREED THAT:**

(1) The aforementioned application for development approval is **GRANTED**.

(2) All development shall fully comply with all of the codes and ordinances in effect in Seminole County at the time of issuance of permits including all impact fee ordinances.

(3) The conditions upon this development approval and the commitments made as to this development approval, all of which have been accepted by and agreed to by the owner of the property are as follows:

1. AUTOMOTIVE WORK SHALL INCLUDE MECHANICAL REPAIRS AND SERVICE. PAINT AND BODY REPAIR SHALL BE PROHIBITED;
2. ALL AUTOMOTIVE WORK SHALL BE CONDUCTED WITHIN THE ENCLOSED PRINCIPAL STRUCTURE;
3. THE OUTDOOR STORAGE OF SERVICE EQUIPMENT SHALL BE PROHIBITED;
4. THE EXISTING STRUCTURE SHALL BE RELOCATED OR MODIFIED TO MEET THE APPLICABLE SETBACKS FOR THE C-2 ZONING CLASSIFICATION;
5. THE EXISTING STRUCTURE SHALL COMPLY WITH THE COMMERCIAL BUILDING CODE;
6. A MINIMUM OF 25 PERCENT OPEN SPACE SHALL BE REQUIRED;
7. LANDSCAPING AND STORMWATER MANAGEMENT SHALL MEET LAND DEVELOPMENT CODE REQUIREMENTS; AND
8. THE PROPOSED USE SHALL BE IN CONFORMITY WITH THE SEMINOLE COUNTY COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE.

(4) This Development Order touches and concerns the aforescribed property and the conditions, commitments and provisions of this Development Order shall perpetually burden, run with and follow the said property and be a servitude upon and binding upon said property unless released in whole or part by action of Seminole County by virtue of a document of equal dignity herewith. The owner of the said property has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Order.

(5) The terms and provisions of this Order are not severable and in the event any portion of this Order shall be found to be invalid or illegal then the entire order shall be null and void.

Done and Ordered on the date first written above.

By: \_\_\_\_\_  
Matthew West  
Planning Manager

STATE OF FLORIDA     )  
COUNTY OF SEMINOLE )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification and who executed the foregoing instrument.

WITNESS my hand and official seal in the County and State last aforesaid this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Notary Public, in and for the County and State  
Aforementioned

My Commission Expires:

## OWNER'S CONSENT AND COVENANT

**COMES NOW**, the owner, Danny M. Hunt, on behalf of himself and his heirs, successors, assigns or transferees of any nature whatsoever and consents to, agrees with and covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Order.

Witness

Authorized Agent or Trustee

Witness

STATE OF FLORIDA )

COUNTY OF SEMINOLE )

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared Insert Name who is personally known to me or who has produced as identification and who did take an oath.

**WITNESS** my hand and official seal in the County and State last aforesaid this day of \_\_\_\_\_, 2004.

Notary Public, in and for the County and State  
Aforementioned

My Commission Expires: